

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

HORACIO JUAN ACOSTA VILLEGAS

DEBTOR(S)

CASE NO. 10-01277-BKT

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**TO THE HONORABLE COURT: NOW COMES, **Alejandro Oliveras Rivera**, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under 11 U.S.C. §1325, for the confirmation of a Chapter 13 plan.

The **LIQUIDATION VALUE** of the estate has been determined at \$33,255 (PV: \$38,575).

TOTAL ATTORNEY'S FEES: \$3,000.00	Paid:\$340.00	Outstanding:\$2,660.00
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With respect to the proposed Plan dated: 2/23/2010; Plan Base: \$62,600.00

The Trustee Does Not Recommend the Confirmation of the proposed Chapter 13 plan as it does not comply with all the requirements for its approval pursuant to 11 U.S.C. §1322, §1325, and other related sections of the Bankruptcy Code.

COMMENTS:

(1) DEBTORS ARE ASKED TO FILE SUPPLEMENTED MOTION WITH ALL TERMS OF MODIFIED LOAN AND SUBMIT COPY OF FINAL AGREEMENT SIGNED BY ALL PARTIES; (2) DEBTORS' TO ADDRESS WHETHER FIRST BANK'S PRE-PETITION ARREARS ARE BEING PAID THROUGH THE PLAN IN VIEW OF THE ANNOUNCED MORTGAGE MODIFICATION; (3) DEBTORS TO ADDRESS THE MORTGAGE PAYMENT AS PER THE INTENDED LOAN MODIFICATION VERSUS THE AMOUNT DISCLOSED IN SCHEDULE J; (4) DEBTORS TO ADDRESS WHY THEIR \$1,183 SAVINGS, LISTED IN SCHEDULE J AS AN EXPENSE, IS A NECESSARY AND REASONABLE EXPENSE.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies

In San Juan, Puerto Rico this : 4/19/2010

/s/ Miriam Salwen Acosta

Miriam Salwen Acosta

USDC # 208910

For:

ALEJANDRO OLIVERAS RIVERA

Chapter 13 Trustee

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